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May 1, 2002

Marlene H. Dortch
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: CC94-102, , CC95-116, CC99-200, WT01-184, ex parte communication

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Rules, the National Emergency Number Association (“NENA”), the Association of Public-Safety Communications Officials-International, Inc. (“APCO”) and the National Association of State Nine One One Administrators (“NASNA”) (collectively, “Public Safety Organizations”) submit the appended supplement to a discussion of wireless local number portability (“WLNP”) and number pooling issues relating to 9-1-1 emergency calling, filed in the referenced dockets on January 30, 2002.

The earlier document identified technical issues requiring resolution prior to the current deadline of November 24, 2002 for implementation of wireless carrier number pooling and local number portability in the 100 largest Metropolitan Statistical Areas (“MSAs”). The appended supplement describes recent progress in resolving these issues, but recommends a six-month extension of the deadline, to May 23, 2003, as regards WLNP only. To our knowledge, no carrier has sought extension of the number pooling date.

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We repeat our earlier disclaimer that our intent in these communications is to minimize disruptions to wireless E9-1-1 service and not to address the merits of number pooling or WLNP as such. Please direct any questions to the undersigned.

Sincerely,

James R. Hobson
Counsel for NENA

cc: All Commissioners' Offices; Kris Monteith and David Furth (FCC WTB); Bob Gurss, Counsel for APCO; Evelyn Bailey, President, NASNA

Update: WLNP, Number Pooling and Wireless E9-1-1

On April 16/17, 2002, NENA and CTIA co-sponsored a wireless number portability/pooling technical meeting regarding 9-1-1 issues, in Washington, DC (attached is company/organization list of participants).

NENA, APCO and NASNA are submitting information which a public safety co-convenor, Rick Jones, gathered from that meeting. The views expressed here are solely those of the three listed public safety organizations.

Service parity in porting. In our 01/30/02 ex parte filing, we referred to certain performance criteria listed in the federal LNP Rules. Enforcement of these regulations would seem to mean that:

1. A wireless carrier should not be permitted to accept a customer switching from a wireline carrier, and retaining the wire telephone number, unless the wireless carrier is capable of delivering to the customer Phase II wireless E9-1-1 service.
2. A wireless carrier should not be permitted to accept a customer from another wireless carrier, and retaining the same wireless telephone number, unless its E9-1-1 service matches that of the losing carrier.

Some have pointed out that, given the nascent state of wireless caller location under Phase II, strict enforcement of the above regulations would mean far fewer customers and carriers eligible for number porting. While we would be content with Phase II compliance -- literally or by waiver -- as a parity standard, customers at least must be advised that the location feature of their telephone service may be degraded in porting a number from a wire to a wireless carrier.

Technical issues. In our January 30, 2002 ex parte filing, we listed five technical issue categories related to MIN/MDN separation that would need changes to support callback number delivery for 9-1-1 calls.

These issues apply to pooled wireless phone numbers, as well as ported.

In category (1), network of a wireless carrier within areas where either or both number portability and pooling are being implemented, the necessary changes should now be in the process of lab testing by the appropriate vendors or by the carriers.

In category (2), network of a wireless carrier within areas where number portability/pooling are not being implemented, similar changes are necessary to support roaming. The needed changes would include those to support correct callback number delivery for 9-1-1 calls. If the changes

are not made, the correct callback number will not be delivered for 9-1-1 calls by customers who have pooled or ported numbers. The technical solutions will be known and available.

If carriers which support roaming do not make the needed changes, roaming agreements may be temporarily discontinued because of billing problems. Roaming customers may still place 9-1-1 calls on these networks; however, their calls will be treated as NSI phones and therefore, if pooled/ported, the correct callback number will not be delivered to the PSAP. Possibly, the incorrect callback number will actually be a phone number belonging to another wireless customer, or even a wireline customer.

The remaining three categories have been assigned to a NENA WLNP technical working group for resolution.

The categories include:

- (3) phones turned on to call 9-1-1, but not yet registered, due to length of registration time for some technologies and some roaming networks (up to 20-60 seconds),
- (4) 9-1-1 calls on a competitor's network complying with the "strongest signal" order and/or handset programming, and
- (5) Non-service-initialized ("NSI") phones delivering MINs when the MIN may be the callback number (MDN or TN) of another wireless or wireline customer.

The options being considered by this technical group include (A) hold and deliver, and (B) forward and refresh. Option (A) would hold the call within the network a given number of seconds or until a MIN/MDN match is found and then deliver to the PSAP, while option (B) would deliver the call to either the 9-1-1 vendor and/or the PSAP and allow a "refresh" (update) to check on the correct MIN/MDN match. The technical group may use a combination of the options or find other options that are workable.

For these technical options to work in various circumstances will require that competing wireless carriers with the same technology share registration information -- such as Home Location Register ("HLR") and Visitor Locator Registration ("VLR"), which will include MDN/MIN matching data. Such sharing of information for 9-1-1 purposes has been essential in the wireline industry to accomplish 9-1-1 routing and maintain customer address ("ALI") databases.

Since sharing information is necessary to successfully resolve at least one of the three technical issues (category 4) listed above, we strongly urge the FCC to take whatever steps are needed to ensure information-sharing by the wireless industry.

Other technical issues listed in our 01/30/02 ex parte filing, in addition to some identified since that filing, have either been resolved or are on a forward path to resolution by the deadline for WLNP implementation.

One remaining issue is related to wireless number portability but not pooling. This involves “mixed service” callback, during the time span of a wireline to wireless port. The issue has been extensively documented in the LNPA-WG third wireless-wireline integration report filed with NANC several months ago. Its resolution would appear to require a combination of lengthening the time it takes a wireless customer to receive a new wireless phone, while shortening the time it takes a wireline carrier to disconnect the customer's wireline phone service.

While such a resolution is beyond our scope here, we point out that as long as this callback issue remains, it is increasingly important that both phones deliver location information during the porting process. That is, the wireless phone should deliver Phase II or Phase I ALI, the wireline phone customer address ALI.

Testing. In our 01/30/02 filing, we strongly urged that wireless number portability/pooling tests include FCC oversight, a national requirement for appropriate 9-1-1 testing, and substantial proof of successful 9-1-1 test results prior to implementation. As the deadline is now three months closer and there has not yet been any successful inter-carrier testing of wireless number portability/pooling, we reiterate our request.

Prior to the implementation of wireless number pooling, the public must be assured that there will be minimal degradation/interruption in the wireless networks, particularly as this applies to 9-1-1 and emergency services access.

Conclusion. We urge the FCC to consider:

1. delaying wireless number portability for 6 months (05/23/03),
2. requiring wireless carriers to share MIN/MDN data for 9-1-1 purposes,
3. our wireless number portability parity recommendations, and
4. requiring successful 9-1-1 testing prior to wireless number pooling/portability implementation.

We believe that a wireless customer with a pooled phone number should have comparable 9-1-1 service to one with a non-pooled number, all other factors being equal.

The remaining technical issues should be capable of resolution within approximately one year from now -- subject to the FCC's requiring that competing wireless carriers utilizing the same technology share MIN/MDN data for 9-1-1 purposes.

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As of 11/24/02, the wireless number pooling start date, wireless carriers should have a six month inventory of phone numbers, per FCC pooling regulations. This should allow the needed time to resolve the remaining technical issues.

Attachment 1

Among the 32 participants at the April 16-17 technical meeting related to 9-1-1 and wireless number portability/pooling, co-sponsored by NENA and CTIA, were representatives of the following companies/organizations. The list illustrates a level of effort and does not imply support for the forgoing comments of NENA, APCO, and NASNA.

Alltel
Bell South
Cingular Wireless
CTIA (2)
FCC
HBF
Intrado (2)
Leap Wireless/Cricket
Lucent Technologies
NCS Pearson
NENA/Loves Park (IL) 9-1-1
NENA/State of Washington
Neustar Inc (3)
Nortel Networks
PrimeCo
SBC (2)
SignalSoft
Sprint (2)
Sprint PCS
TCS/XYPoint (2)
Telecorp (2)
Triton PCS/Raddcomm
VoiceStream (2)